IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 400 OF 2006
WITH
CIVIL APPLICATION NO. 486 OF 2006

Sion Kamgar Co0op. Hsg. Soc. Ltd... Appellant
V/s.
Sushila R. Naidu & Anr. ... Respondent

Mr. R.S. Tripathi for the appellant.
Mr. Prasad M. Gaonkar for respondent No. 1.

CORAM : A.M. KHANWILKAR, J.
DATED : 26th June, 2006

P.C.

. Heard counsel for the parties. Counsel for the appellants submits that the appellants are not interested in pursuing this remedy provided Trial Court is directed to finally dispose of the Notice of Motion at the earliest. It is stated that in-fact the Notice of Motion was heard in the past and was kept for orders, but for certain technical reasons the order has not been pronounced. As per the impugned order, Court Receiver is already appointed.

2. The appeal is disposed of with direction to the Trial Court for early disposal of the Notice of Motion. The parties shall co-operate with the Trial Court to dispose of the Notice of Motion.

3. From the observations made in the impugned order, it appears that the Corporation failed to produce relevant documents before the Trial Court. It is expected that the Corporation will produce all the relevant documents before the Trial Court as and when required and extend complete co-operation for proper and effectual decision in the matter.

4. Thus, appeal is disposed of on the above terms leaving all question open. In the meantime, Court Receiver to proceed with the direction given in the impugned order.

[A.M. KHANWILKAR,J.]